

**HUMAN SERVICES DEPARTMENT[441]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 225C.6 and 2014 Iowa Acts, House File 2463, section 82, the Department of Human Services proposes to amend Chapter 25, “Disability Services Management,” Iowa Administrative Code.

The purpose of this rule making is to establish the Department’s rules for gathering expenditure data necessary to calculate county Medicaid offset in accordance with 2014 Iowa Acts, House File 2463, section 82.

Any interested person may make written comments on the proposed amendments on or before September 9, 2014. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217). After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 225C.6 and 2014 Iowa Acts, House File 2463, section 82.

The following amendments are proposed.

ITEM 1. Amend **441—Chapter 25**, Preamble, as follows:

PREAMBLE

This chapter provides for definitions of regional core services, access and practice standards, reporting of regional expenditures, development and submission of regional management plans, data collection, ~~and~~ applications for funding as they relate to regional service systems for individuals with mental illness, intellectual disabilities, developmental disabilities, or brain injury, and submission of data for Medicaid offset calculations.

ITEM 2. Reserve rules **441—25.92** to **441—25.94**.

ITEM 3. Adopt the following new Division IX title in **441—Chapter 25**:

DIVISION IX  
DATA SUBMISSION TO DETERMINE MEDICAID OFFSET FOR COUNTIES

ITEM 4. Adopt the following new Division IX Preamble in **441—Chapter 25**:

PREAMBLE

These rules define the department’s standards for the submission of county mental health and disability services expenditure data so that the department can calculate the Medicaid offset for each county consistent with 2014 Iowa Acts, House File 2463, section 82.

ITEM 5. Adopt the following new rules 441—25.95(426B) and 441—25.96(426B):

**441—25.95(426B) Definitions.**

“*Department*” means the Iowa department of human services.

“*Medicaid offset amount*” means the amount resulting from the calculations described in Iowa Code section 426B.3 as amended by 2014 Iowa Acts, House File 2463, section 82(5)“d.”

*“Uniform chart of accounts for Iowa county governments”* means the set of codes used by counties to organize and delineate revenues and expenditures. The codes related to mental health and disability services expenditures identify diagnosis and types of services.

**441—25.96(426B) Data to determine Medicaid offset.** Each county must submit to the department a report that provides the county mental health and disability services data needed to calculate the Medicaid offset for the county.

**25.96(1) Data required.** Each county is required to submit expenditure data as specified by the department based on the agreement by the department and representatives of the mental health and disability services regions consistent with the requirements of Iowa Code section 426B.3 as amended by 2014 Iowa Acts, House File 2463, section 82(5) “b.”

**25.96(2) Submission of mental health and disability services data.**

*a.* Counties must submit the required data to the department by 4:30 p.m. on September 19, 2014, consistent with data submissions as required in subrule 25.41(3).

*b.* If a county fails to submit data within the required time frame or a county submits data that is demonstrably inaccurate, the department will use a pro-rata methodology to determine the county’s Medicaid offset using data submitted by other counties.